An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2016

Cavan County

Planning Register Reference Number: 17/74

An Bord Pleanála Reference Number: 02. LV.3339

APPLICATION FOR LEAVE TO APPEAL against the decision of the planning authority by John O'Reilly of Church Road, Kingscourt, County Cavan, having an interest in land adjoining the land in respect of which Cavan County Council decided on the 25th day of April, 2017 to grant subject to conditions permission to Parkside Gemon Developments Limited care of BMA Planning of 128 Lower Baggot Street, Dublin.

PROPOSED DEVELOPMENT: Revision to condition number 9 of the permitted development (planning register reference number 14/107, An Bord Pleanála appeal reference number PL 02.243518) to clarify and amend the hours of operation of the SuperValu supermarket to 07.00 hours to 21.00 hours Monday to Saturday and 09.00 hours to 19.00 hours Sundays and Bank Holidays. All at SuperValu, south of the Kells Road, Lisaniskey, Kingscourt, County Cavan.

02.LV.3339 An Bord Pleanála Page 1 of 2

DECISION

GRANT leave to appeal under section 37 (6) of the Planning and Development Act, 2000, as amended, based on the reasons and considerations set out below.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

Having regard to the submissions and documents received in connection with the application for leave to appeal and the conditions set out in the planning authority's decision, it is considered that it has been shown that -

- the development, in respect of which a decision to grant permission has been made, will differ materially from the development as set out in the application for permission by reason of condition number 3 imposed by the planning authority to which the grant is subject, and
- (ii) the imposition of condition number 3 will materially affect the applicant's enjoyment of the land adjoining the land in respect of which it has been decided to grant permission or reduce the value of the land.

Member of An Bord Pleanála duly authorised to authenticate the seal of the Board.

Dated this day of 2017.

02.LV.3339 An Bord Pleanála Page 2 of 2